

**Rocky Mountain Energy Council  
Implementation and Public Comment Meeting  
Sheraton Hotel, Lakewood, CO  
August 26, 2003**

**Final Summary**

An intergovernmental planning meeting of the proposed Rocky Mountain Energy Council (RMEC) was held in Lakewood, Colorado on August 26, 2003. **Federal Register #** . The overarching objectives were to hear public perspectives, revise the RMEC draft Charter and discuss staffing needs. (See Attachment A for a list of attendees and Attachment B for a list of agreements.)

**Schedule of Action Items:**

<b>When</b>	<b>Action Item</b>	<b>Who</b>
<b>August 29<sup>th</sup></b>	Revise the draft Charter and By-Laws, integrating the comments and agreements of the RMEC members.	Bob Dach
<b>September 5<sup>th</sup></b>	Review the revised draft Charter and By-Laws and send comments and changes to Bob Dach.	RMEC Members
<b>Prior to December 16<sup>th</sup></b>	Develop funding alternatives and a recommendation.	Funding Workgroup (Brad Powell – Chair, Ron Wenker, and Clark Jones)
<b>Prior to December 16<sup>th</sup></b>	Collaborate with tribes to identify appropriate tribal representatives for RMEC membership.	Membership Workgroup (Bob Middleton, Bob Dach, and Linda ????)
<b>Outstanding Action Items from July 8 &amp; 9, 2003 Meeting</b>		
	Website – collect models of sites with parallel efforts (e.g. collaborative, intergovernmental) for presentation in August meeting.	RMEC Staff
	Draft PERT chart/Decision Path with State and Federal processes with an initial focus on oil and gas permitting	Robbie Roberts and Rick Cables (Interim Chair and Vice Chair)
	Develop a list of resources acquired (financial and/or in-kind) – agencies and what they have offered to provide	WHTF
<b>October 2003</b>	Circulate a URL for the draft website to RMEC members for review	RMEC Staff
<b>December 2003</b>	First RMEC meeting to discuss and decide on a list of actions and protocols. Agenda items may include: <ul style="list-style-type: none"> <li>○ Review and establish process to finalize the Charter and By-Laws</li> <li>○ Decide on a communication model and team</li> <li>○ Discuss a list of actions that demonstrates</li> </ul>	

	commitment of RMEC members <ul style="list-style-type: none"> <li>○ Review a draft comprehensive implementation plan that outlines measurements of success</li> <li>○ Discuss and give direction to staff on website design/function</li> </ul>	
December	Organize the December meeting – logistics, location, and agenda	RMEC staff, Chair and Vice Chair
December	Launch the RMEC website following the December 2003 meeting	RMEC staff

### Meeting Objectives

1. To hear the comments and concerns of the general public;
2. To discuss and revise the RMEC draft Charter and By-Laws; and
3. To discuss and decide on staffing needs and how to fill those needs.

### Welcome

Betty Boyd (Colorado State Legislature), Jack Belcher (Subcommittee on Resources and Energy, House Resources committee), Rick Cables (US Forest Service and Interim Vice-Chair of the RMEC), and Robbie Roberts (EPA Region VIII and Interim Chair of the RMEC) welcomed those attending. Robbie Roberts opened the meeting and invited the public to comment.

### Public Comments

Members of the public were notified of the RMEC meeting and the opportunity to speak through the Federal Register [FR# ]. Speakers signed up on the White House Task Force for Energy Project Streamlining website and at the door the morning of the meeting. Sixty members of the public from Arizona, Colorado, New Mexico, Utah, and Wyoming took the opportunity to convey their concerns and recommendations to the RMEC. Speakers identified themselves as citizens, ranchers, land owners, Navajo tribe members, miners, environmentalists, industry representatives, outdoor recreation advocates, public employees and advocates for low-income energy consumers. Written statements were accepted and all public comments were recoded on videotape [ARE THESE AVAILABLE? If so, add: (available at ???)]. The following is a summarized list of the concerns presented:

#### Process Concerns

- Exclusion of Local governments, Tribal governments and National Renewable Energy Labs on the RMEC.
- Exclusion of ranchers, landowners and other citizens directly impacted by energy development decisions
- Lack of opportunities for the public to be directly involved and evidence that the RMEC is listening in good faith to their concerns and issues
- Lack of transparency in the process – make information freely available

#### Substantive Concerns:

- Environmental impacts and protecting the environment (wildlife, habitat, air and water quality, and quality of life/recreational uses); environmental responsibility
- A responsible pace; enough time, in a streamlined process, to allow for thorough evaluation of environmental impacts (energy resources will remain until extracted which allows plenty of time to remove them)

- Resource conservation; recognition of the finiteness of the resources and not just continual extraction of fossil fuels
- Energy conservation - from turning our lights out to conserving the resource
- Alternative energy sources/systems
- Priority on renewables and balancing the energy portfolio
- Effects on state and local economies (including wild places protection for recreational tourism).
- Long-term, sustainable planning to meet the energy demands of Americans
- Negative effects on energy prices
- Ability to keep energy costs down, especially for low-income energy consumers
- Balance of energy development and environmental and cultural impacts
- Compatibility with existing land use, wildlife habitat and wild places
- Remaining industrial footprint after extraction; lack of compliance with clean up regulations
- Negative impacts to lands with high public value
- Trading environmental impacts for energy development
- Protection of clean air, clean water, wildlife, and the environment
- Lowering the bar for existing environmental regulations
- Focusing on oil and gas and not renewable energy development, which is a long-term option with little price stability
- Lack of focus on efficiency
- Price increases due to restrictive policies (forcing industry to explore for more remote resources)
- Goals that may be just a political spin to override environmental regulations and public involvement
- Ranchers and land owners not receiving their fair share of royalties or input into rule making for royalties and rights
- Compliance not being enforced; industry not following environmental regulations
- Ineffectiveness environmental regulations
- Permanency of environmental impact once an industrial footprint is established

Many of the speakers supported the goals of the RMEC (early collaboration and consultation, intergovernmental cooperation, and removal of duplication that leads to delay) while others questioned the intent behind those goals and the lack of priority for environmental impacts and public involvement.

### **RMEC Charter**

The Charter (draft version 8/19/03) was disseminated to Members prior to the meeting and available to everyone at the meeting. Members reviewed the Charter, the purpose and operational details of the RMEC. The discussion broadly covered the purpose, membership, decision making, executive (closed) sessions, and committees. Several overarching changes included: dividing the document into the Charter (purpose) and By-Laws (operational details); including local and tribal governments; and clarifying terminology (unanimous consent/consensus, conservation – environmental or energy, and committee/workgroups). The following are the suggested revisions and agreements, in order of the draft document sections:

#### Opening Paragraph

Members wrestled with developing the best language to clarify the purpose of the RMEC. They began with the three functions identified in the Federal Register notice for this meeting and

integrated the public's concerns. The following are the revised functions (this is not the final iteration; additions are in **bold** type, suggested changes are in *italics*):

1. To develop Federal, State, **Tribal and Local** partnerships for the long-term **conservation and** management of renewable and nonrenewable energy resources on State and Federal public lands **and Federal mineral estates**.
2. To *promote* more forward looking and strategic planning – on a regional basis – for the environmentally responsible development, production, and distribution of the Nation's valuable energy resources.
3. To develop processes for early collaboration and consultation among the State and Federal agencies **and local and tribal governments**.

**Agreement:** The RMEC agreed with the changes in language and to further refinement based on their discussions (inclusion of Tribal and Local government representatives, conservation of resources, and federal mineral estates).

The general understanding was that the third function would not take away or supercede any single agency's mission.

**Agreement:** The RMEC agreed that the preamble of the Charter will outline who the partners are (State, Federal, Local and Tribal), which lands will be included (federal and state lands and mineral estates), what resources (renewable and nonrenewable), and language on conservation and environmental responsibility.

Membership on the RMEC was discussed in the context of - what representatives are missing and what is the appropriate size for achieving the purposes? The existing Members agreed with the public that it was important to include local and tribal governments. Many felt the most efficient way to include local governments was to invite county governments. The inclusion of tribal governments is more challenging. There was recognition that the difficulty is in identifying a few tribal representatives from the large number of self-governing tribes. The concern was how to appropriately include Tribal representatives without the RMEC becoming an unmanageable/unproductive size.

**Agreement:** The RMEC agreed that membership will include county governments.

**Agreement:** The RMEC agreed that membership will include tribal representatives; with the understanding that a work group will be formed to identify the most appropriate representatives (see following agreement).

One way to alleviate a potential size issue, to slim down existing membership - each agency would have one representative, was discussed. The question became how does the RMEC define an "agency" – overarching (eg. DOI), independent (Forest service). From a State perspective there would be loss of partnering opportunities if the state BLM directors were not at the table; they are the most direct State/Federal link on energy development issues, for States.

**Agreement:** The RMEC agreed to establish a Membership Workgroup (Bob Middleton, Bob Dach, and Linda ???) to work with tribes and appropriately identify Tribal representatives for the RMEC. After those representatives are established the RMEC will review the membership and discuss if the right representativeness and size has been achieved for productive advancement towards their purposes.

**Agreement:** The RMEC agreed that at this time all existing members will remain.

Bob Middleton, White House Task Force on Energy Project Streamlining (Task Force) briefly noted the Federal Advisory Committee Act (FACA) requirements, as he understood them from his conversation with General Services Administration. FACA requirements would not be

engaged if the RMEC membership was comprised of employees of Federal and State agencies, and local and tribal governments.

### Section I: Establishment of the Council

Members discussed the meaning of “unanimous consent” and consensus. To some “unanimous consent” means everyone fully agrees and consensus means general buy-in but may include a minority opinion. The term consensus allows for more flexibility.

**Agreement:** The RMEC agreed to change “unanimous consent” to consensus.

**Agreement:** The RMEC agreed to strike.

**Agreement:** The RMEC agreed to include a full membership list in the Charter.

### Section II: RMEC Coordination Office – No comments

### Section III: Meetings

This discussion centered on the criteria for topics to be addressed in executive sessions (closed to the public) and some perceptual risks. It is important to have RMEC discussions open to the public, with the understanding that there are some issues that are proprietary. The Members agreed to use executive session wisely. Defining wise use of executive sessions led to revisions to the four matters in the draft Charter that delineate topics for closed sessions. The discussion culminated with the removal of the last two and the creation of a new third matter.

**Agreement:** The RMEC agreed that Executive sessions be held only for consideration of the following matters (**bold** items are additions, ~~striketrough~~ items are removed):

1. RMEC participation on civil litigation, or in mediation or negotiation undertaken in lieu of likely civil litigation;
2. Trade secrets or other confidential commercial or financial information;
3. Personnel matters related to the RMEC coordination office staff.

**Agreement:** The RMEC agreed to strike the following sentences, because moving out of executive session is a decision covered by the decision making policies in the Charter:

**Agreement:** Executive sessions will be recorded. In cases where a challenge is made to the propriety nature of an executive session, the recordings may be made available to a judge to determine whether the session was limited to the three matters outlined in the Charter.

### Section VI: Decision Making

**Agreement:** The RMEC agreed to change the title of this section to Decision Making and to change “unanimous consent” to consensus.

### Section V: Agendas – No comments

### Section VI: Workgroups

Questions were raised about the feasibility of having workgroup meetings open to the public. The general understanding was that the intent of workgroups was to be ad-hoc and the most logical way to work maybe through conference calls, which would not allow easy access for the public. There was an expectation that all workgroups would report back at an open RMEC meeting, thus providing the opportunity for public comment.

**Agreement:** The RMEC agreed to add language similar to “where possible” and “at minimum the public will have an opportunity to comment” to this section.

**Agreement:** The RMEC agreed that workgroups would, predominately, not be decision making bodies. If a workgroup becomes a decision making body they would be responsible to create opportunities for public review and comment.

**Agreement:** The RMEC agreed to change the term “committees” to workgroups.

Section VII: Records and Reporting – No comments

Section VIII: Public Participation and Outreach – No comments

Section IX: Amendments – No comments

Overall Draft Charter

**Agreement:** The RMEC agreed to split the draft into two attached documents: 1. The Charter will identify the purpose and other timeless components; and 2. The By-Laws will identify how the RMEC will operate.

**Agreement:** The RMEC agreed the document will clarify the term “conservation” – energy conservation and/or environmental/resource conservation as applicable.

**Agreement:** The RMEC agreed they will not revisit the issues covered on the Charter in the meeting today.

**Agreement:** The RMEC agreed, in principle, to the proposed changes. They agreed to adopt the Draft Charter as guiding principles and as a work in progress (re-titled, “Interim Charter and By-Laws”) until the December 2003 followed by a thirty-day public comment period.

**ACTION:** Bob Dach will revise the Charter and By-Laws based on the agreements and comments voiced at this meeting. The revised draft will be disseminated to Members at the end of the week. Members will review it and send comments by September 5<sup>th</sup> (this will not include language on who the Tribal representative will be).

### **Staffing**

Robbie Roberts, interim Chair, presented a proposal for four RMEC staff positions: executive director, deputy director, administrative assistant, and a public affairs person. He also presented a quick summary of the Intergovernmental Personnel Act (IPA) and Interagency (IAG) Details as options for trading government employees between agencies. In the immediate future the REMC staff would organize the December meeting and follow up with the workgroups established.

In deciding how many positions to fill and how, several alternatives were presented:

- Advertise for the positions, searching for the most qualified and committed candidates. The challenges are the time it takes to fill advertised position and how those positions would be funded.
- Utilize the IPA/IAG employee alternative. The challenges are that employees would not be transferred to Denver and the level of commitment from the employee maybe split.
- Concurrently, work with an interim volunteer staff and advertise for one-year positions, filling the positions as funding becomes available. The challenges are the split focus of the volunteer employees and funding options for the one-year staff.

- Continue with volunteer staff until funding is established. The challenge is split focus of volunteer staff and the uncertainty of funding (length of time in acquiring it and the amount) which would leave the volunteer staff in place indefinitely.
- Fill two positions: executive director and administrative assistant.
- Fill three positions: executive director, administrative assistant, and a public affairs person. There was some disagreement about the public affairs position. Some members felt it was possible to continue to cover this with volunteer employees, while others felt that due to the public interest surrounding the RMEC it was an important position to fill.

Importance was placed on the level of commitment the staff would have to the RMEC, that it needs to be the employee's sole focus.

**Agreement:** The RMEC agreed to work to fill three staff positions through IGA/IPA for one year (agencies will cover the costs). The positions will be the executive director, administrative assistant and public affairs person. Ron Wenker extended his commitment of office space in Denver.

The alternatives raised the question: how would the RMEC develop a funding source? Members established a Funding Workgroup to develop alternatives and a recommendation.

**Agreement:** The RMEC agreed to establish a Funding Workgroup (Brad Powell (Chair), Marty Ott, Ron Wenker, and Clark Jones) to identify funding needs and options and present a recommendation. The group will disseminate a report prior to the December 16, 2003 meeting.

### **Memorandum or Understanding**

Due to the lateness of the hour Robbie Roberts suggested this topic be tabled. The draft MOU will be revised based on changes to the Charter and By-Laws. The Members agreed.

## ATTACHMENT A – Attendees (Members and Public)

### Abbreviations:

ACHP – Advisory Council on Historic Preservation	NPS – National Park Service
BLM – Bureau of Land Management	OSM – Office of Surface Mining
CEQ – Council on Environmental Quality	RMOTC – Rocky Mtn Oilfield Testing Center
DOE – Department of Energy	USACE – US Army Corps of Engineers
DOI – Department of Interior	USDA – US Department of Agriculture
DOT, RSPA, OPS –	USFS – US Forest Service
EPA – Environmental Protection Agency	USGS – US Geological Survey
FERC – Federal Energy Regulatory Commission	WGA – Western Governors Association
FS – Forest Service	WHTF – White House Task Force on Energy Project Streamlining
FWS – US Fish and Wildlife Service	
MMS -Minerals Management Service	

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### Attendees (RMEC Members and Agency Employees):

Linda Anania, BLM	Scott Haight, BLM-Montana	Kerry Moss, NPS
Steven Arnold, Colorado Dept. of Health	Melody Holm, USDA - FS	David Mullou Jr., Senate Committee on Indian Affairs
John Bebout, BLM - Wyoming	Mike Hughes, Resolve	Vito Nuccio, USGS
Cindy Beeler, EPA	Cathy Iverson, DOE	Marty Ott, BLM - Montana
Bill Becker, DOE	Ramey Johnson, Colorado Representative	Jill Parker, FWS
Jack Belcher, House Resources Committee	Alan Kesterke, BLM	Brad Pierce, USGS
Bob Bennett, BLM - Wyoming	John Keck, NPS	Bradley Powell, USDA - FS
John Blankenship, FWS	Dale Keys, US Institute for Environmental Conflict Resolution	Bruce Ramsey, FS
Betty Boyd, Colorado State Representative	Karen Kochenbach, USACE	Sandy Rayl, USACE
Lowell Braxton, Utah	Jerry Kotas, DOE	John Reber, NPS
Bob Bush, ACHP	John Krummel, DOE – Argonne Lab	Cindy Reynolds, EPA
Rick Cables, USDA - FS	David LaRoche, WHTF	Kevin Riordan, WGA
Nola Cooke, EPA	Doug Larson, WGA	Robert Roberts, EPA
Jill Cooper, Colorado Dept. of Public Health	Conrad Lass, BLM	Linda Rundell, BLM
Paul Cough, EPA	Robert Lawrence, EPA	Lynn Rust, BLM
Dean Crandell, USDA - FS	Bill Lawson, DOE	Jan Sensibaugh, Montana - DEQ
Bob Dach, FWS	Brian Macke, Colorado Oil and Gas Conservation Comm.	Karen Smith, DOE, Argonne
Brandy Dalton-Hathway, Senator Nighthorse, Colorado	Linde Marshall, Senator Allard, Colorado	Alan Standfield, ACHP
Doug Dennison, Garfield County	Kimi Matsumoto, EPA	Jim States, DOE – RMOTC
George Diwachak, BLM	Bob Middleton, WHTF	Bob Stewart, DOI - Denver
Anthony Dvorak, DOE – Argonne Lab	Nat Miullo, EPA	Amos Street, WHTF
Patrick Etchart, DOI-MMS	Anne Miller, EPA	Steve Stockton, USACE
Rick Frost, NPS	Frank Montarelli, EPA	Ron Teck, Senator, Colorado
Dale Hall, FWS	Pauni Moorehead, US Senate Committee on Indian Affairs	Sherri Thompson, BLM
Jim Hartman, DOE-WAPA	Marti Morgan, Senator Allard, Colorado	Wayne Thornton, USDA – FS
Shane Henry, Colorado Dept. Natural Resources	Syl Morgan-Smith, NREL	Jack Troyer, USDA-FS
		Ron Wenker, BLM - Colorado
		Kermit Witherbee, BLM
		Karl Wundercich, Bureau of Reclamation
		Genevieve Young, Colorado

## Attendees (Public):

### (\* Speakers)

Rich Aiken Booz, Allen, Hamilton  
\*David Allison, Citizen of Utah  
Sam Anderson, Consultant  
\*Steve Andrews, Energy Consultant  
\*John Aronson, AATA  
International  
Dave Banko, Banko Petroleum  
Bernadette Barbour, PRBRC  
\*Michelle Barlow, Wyoming  
Outdoor Council  
\*Keith Bauerle, Earthjustice  
E. Blackgout, XOM  
\*Sama Blackwell, Citizen  
\*Tweeie Blancett, New Mexico  
Rancher  
Robert Blaylock, Black Hills E&P  
\*Steve Bonowski, Colorado  
Mountain Club  
\*Freddie Botur, Wyoming Rancher  
Michael Bowen, Bowen Gas Corp.  
\* Dr. Clait Braun, Grouse Inc.  
\*Mike Brennan, Holland and Hart  
\*Steven Capra, New Mexico  
Alliance  
\*Cathy Carlson, Center for the Wild  
West  
Greg Cassarin, Colorado Mountain  
Club  
Dave Cesark, Williams Production  
Gargi Chakrabarty, Rocky  
Mountain News  
\*Amanda Champany, COPEEN  
\*Mike Chiropolos, Western  
Resource Advocates  
Shane Collins, Western Area  
Petroleum Association  
Keith Coltine, Reuters  
\*Harold Copland, Innovative  
Energy Technology  
Susan Daggett, Earthjustice  
Robert Danielson, Consultant  
Patrick David, Wyoming Sierra  
Club  
Don Davis, National Association of  
Counties  
Steve Dayney, XCEL Energy  
\*Stan Dempsey, Colorado  
Petroleum Association  
Joe Deni III, Simplicity Energy  
\*Mary Ellen Denomy, For Joan  
Savage, Rancher  
Mark Dickson, Sierra Club  
Sammi Diner, EnviroCitizen  
Pat Dolan, Stone & Webster  
Eric Douglas, Citizen  
\*Patricia Dowd, Sierra Club, WY  
Ellen Drew, STEPP

Jack E.  
\*Pam Eaton, Wilderness Society  
\*Bob Elderkin, Colorado Mule Deer  
Association  
\*Paula Elofson-Gardine,  
Environmental Info Network  
Ron E., citizen  
Jim Felton,  
Tony Finneman, Willinston Basin  
Pipeline  
Nancy Greenleele, NPR  
\*Jennifer Gremmert, Colorado  
Energy Assistance Foundation  
Jim Guerclio, Caribou Land  
\*Clarence Gushurst, Citizen  
Kathy Hall, Colorado Oil & Gas  
Association  
Kristina Hanelt, Gunnison Energy  
Marilyn Hardy, PanAero Corp.  
\*John Harpole, Mercator Energy  
Jim Harris, HE TECH  
Chuck Hendricks, Consultant  
Jo-Ann Herrick,  
Bruce Hinickey, Petroleum  
Association of Wyoming  
\*Donna House, Dine' Citizens  
against Ruining our Environ.  
Robin Hubbard, Environment  
Colorado  
\*Susan Huesf, Environmental Info  
Network  
Carey Johounesson, Bridge Pipeline  
\*Suzanne Jones, the Wilderness  
Society  
\*Elise Jones, Colorado  
Environmental Coalition  
\*Steve Jones, Wyoming Outdoor  
Council  
\*Josh Joswick, LaPlata, Colorado  
Commissioner  
\*Fred Julander, Julander Energy  
Brain Kennedy, SAIC  
\*Corrie Knapp, Colorado  
Environmental Coalition  
Judith Kohler, Associated Press  
Carrie Kowalski, Environmental  
Defense  
Ron Larson, Colorado Renewable  
Energy Society  
Don Law, Prima Exploration  
Amy Livingston, Citizen  
J. Lowell, Wyoming tribune  
L.W. M., EFC  
Daphne Magnuson, American Gas  
Assoc.  
Ron Mallestona, KAST  
Brendan McGuire, Citizen

Grant Melvin, IPAMS  
\*Erik Molvar, Biodiversity  
Conservation Alliance  
\*LW Morrow, Fuel Cell Consultant  
Thomas Moskitls, American Gas  
Association  
John Muehlhause, Natural Resource  
Group  
David Nelson, CRST  
John Nelson,  
Paul Notari, Consultant  
\*Michael O'Beirne, Colorado Fuel  
Cell  
Terry O'Connor, Shell Oil  
Derek Officer, Citizen  
\*Dianna Orf, Colorado Mining  
Association  
Dave P., Earthjustice  
Jim Peay, Citizen  
Ken Perry, Consultant  
\*Brad Pierce, EnviroCitizen  
\*Monica Piergrossi, Citizen  
Al Pierson, citizen  
Bill Pratt, citizen  
Cathy Proctor, Denver Biz Journal  
Amanda Protur, Wyoming Rancher  
Steve Raabe, Denver Post  
\*Melinda Reed,  
Art Reese, Consultant  
\*Ken Regelson, Colorado citizen  
\*Jeffery Reising, Citizen of  
Wyoming  
Mark Roberts, KNRC Radio  
\*Debra Robinson, Sierra Club  
Chandrea Rosenthal, Public  
Employees for Environmental  
Responsibility  
John Rusupepe, Sierra Club  
\*Chris Rutan, Utah Citizen  
Sam Sager,  
\*Ellen Salvador, COPEEN  
Allen Salzmann,  
Charles Sauc, KLT Gas  
Greg Schaefer, Arch Coal, Inc  
\*Gregory Scott, Air Quality  
Consultant  
\*Harold Schaeffer, Landowner  
Roberta Schaeffer, Landowner  
Greg Schnacke, Colorado Oil and  
Gas Association  
\*Janna Six, Citizen  
\*Lisa Smith, SRCA  
\*Steve Smith, Western Colorado  
Congress  
\*Marc Smith, IPAMS  
\*Nancy Sorenson, Powder River  
Basin Resource Council

Margaret Spearman, Consultant  
Susan Starceвич, Western Area  
Power Association  
Theo Stein, Denver Post  
Charlie Steven, Sierra Club  
\*Ann Stevens, Citizen  
Dwayne Stratford,  
Jerry Sullivan, Calpine  
\*Lou Tepe, Consultant  
Janice Thomas, CRES

\*Pennie Vance, Powder River Basin  
Resource Council  
\*John VanDyk, Citizen  
Larry Volment, Hooand and Hart  
Philip VonHake, PvH  
Communications  
Seth Voytes, Colorado Springs  
Utilities  
\*Paul Wilkenson, American Gas  
Assoc.

Carla Wilson, IPAMS  
\*Faith Winter, Envrocitizen  
Ken Wonstolen, COGA  
Kate Zimmerman, NWF

## ATTACHMENT B – Agreements

No.	Agreement
<b>Overall Charter</b>	
1.	The RMEC agreed to split the draft Charter into two attached documents: 1. The Charter will identify the purpose and other timeless components; and 2. The By-Laws, will identify how the RMEC will operate.
2.	The RMEC agreed that the Charter will include a full membership list.
3.	The RMEC agreed that the preamble of the Charter will outline who the partners are (State, Federal, Local and Tribal), which lands will be included (federal public lands and federal mineral estates), what resources (renewable and nonrenewable), and language on conservation and environmental responsibility.
4.	The RMEC agreed, in principle, to the proposed changes. They agreed to adopt the Draft Charter as guiding principles and as a work in progress (re-titled, “Interim Charter and By-Laws”) until the December 2003, followed by a thirty-day public comment period.
5.	The RMEC agreed they will not revisit Charter issues covered in the meeting today.
<b>Membership</b>	
6.	The RMEC agreed that membership will include local governments (county) and tribal representatives.
7.	The RMEC agreed that at this time all existing members will remain.
8.	The RMEC agreed to establish a Membership Workgroup (Bob Middleton, Bob Dach, and Linda ???) to work with tribes and appropriately identify Tribal representatives for the RMEC. After those representatives are established the RMEC will review the membership and discuss if the right representativeness and size has been achieved for productive advancement towards their purposes.
<b>Editorial Changes to the Charter</b>	
9.	<p>The RMEC agreed to the following changes to the three functions of the RMEC, with the understanding there may be further refinement:</p> <ol style="list-style-type: none"> <li>1. To develop Federal, State, <b>Tribal and Local</b> partnerships for the long-term <b>conservation and</b> management of renewable and nonrenewable energy resources on State and Federal public lands <b>and Federal mineral estates.</b></li> <li>2. To <i>promote</i> more forward looking and strategic planning – on a regional basis – for the environmentally responsible development, production, and distribution of the Nation’s valuable energy resources.</li> <li>3. To develop processes for early collaboration and consultation among the State and Federal agencies <b>and local and tribal governments.</b></li> </ol>
10.	The RMEC agreed to change the “voting” section heading to Decision Making and to change the term “unanimous consent” to consensus within the section.
11.	The RMEC agreed the document will clarify the term “conservation” – energy conservation and/or environmental/resource conservation as appropriate.
<b>Chair and Vice Chair Positions</b>	
12.	The RMEC agreed that the Chair and Vice Chair positions will rotate annually between all representatives on the RMEC, and not just State and Federal representatives.
<b>Executive Sessions</b>	
13.	<p>The RMEC agreed that Executive sessions be held only for consideration of the following matters (<b>bold</b> items are additions):</p> <ol style="list-style-type: none"> <li>1. RMEC participation on civil litigation, or in mediation or negotiation undertaken in lieu of likely civil litigation;</li> <li>2. Trade secrets or other confidential commercial or financial information;</li> </ol>

	<b>3. Personnel matters related to the RMEC coordination office staff.</b>
14.	The RMEC agreed that a decision to move a discussion out of executive session will be done in compliance with the decision making policy outlined in the Charter.
15.	Executive sessions will be recorded. In cases where a challenge is made to the propriety nature of an executive session, the recordings may be made available to a judge to determine whether the session was limited to the three matters outlined in the Charter.
<b>Workgroups</b>	
16.	The RMEC agreed to the new section heading Workgroups for “committees” and adding language similar to “where possible” and “at minimum the public will have an opportunity to comment” to this section.
17.	The RMEC agreed that workgroups would, predominately, not be decision making bodies. If a workgroup becomes a decision making body they would be responsible to create opportunities for public review and comment.
18.	The RMEC agreed to establish a Funding Workgroup (Brad Powell (Chair), Marty Ott, Ron Wenker, and Clark Jones) to identify funding needs and options and present a recommendation. The group will disseminate a report prior to the December 16, 2003.
<b>Staffing</b>	
19.	The RMEC agreed to attempt to fill three staff positions through IGA/IPA for one year (agencies will cover the costs). The positions will be the executive director, administrative assistant and public affairs person.

## ATTACHMENT D – Agenda

### **The Rocky Mountain Energy Council Meeting** **Tuesday, August 26, 2003** **Lakewood Colorado**

8:00 – 8:45 **Meeting is Convened**, Robbie Roberts, Regional Administrator Environmental Protection Agency, Region 8, Interim Chair, Rocky Mountain Energy Council (RMEC)

Welcome by Betty Boyd, Colorado State Legislature, Lakewood District.

Remarks by Jack Blecher, Staff Director, Subcommittee of Resources and Energy, House Resources Committee.

Overview of First RMEC Meeting, A Design in Process, Rick Cables, Regional Forester, Rocky Mountain Region, US Forest Service; Interim Vice Chair, RMEC

Opening Statement, Robbie Roberts

8:45 – 10:15 **Public Presentations**, The Council will take public comments, facilitated by Mike Hughes, RESOLVE, under the direction of the chair.

10:15 – 10:30 **Break**

10:30 – 12:00 **Reconvene Public Participation**, continues, as necessary, Robbie Roberts and Mike Hughes.

12:00 – 1:00 **Lunch**

1:00 – 2:30 **Reconvene Public Participation Process**, continues, as necessary, Robbie Roberts and Mike Hughes.

2:30 – 3:30 **Consideration and Discussion of the Draft RMEC Charter and Memorandum of Understanding**, facilitated by Mike Hughes

3:30 – 4:00 **Consideration of Staffing Proposal**, Robbie Roberts

4:00 – 4:30 **Summary and Discussion of Next Steps**, including appointment of committee to help plan the December RMEC meeting, Robbie Roberts

**Note:** Council members should be prepared for the meeting to run beyond 4:30. As this agenda is being prepared, the number of public presenters is not known, but is thought to be large.